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Campaign Document 1876

INTEGRITY OF REPUBLICAN ADMINISTRATION.

SPEECHES OF

Senator Anthony and Hon. James Wilson.

TREASURY ACCOUNTS.

Mr. ANTHONY. The Committee on Printing, to whom was referred a motion to print a letter from the Secretary of the Treasury, transmitting, in answer to a Senate resolution of February 9, 1876, a statement of balances due to the United States from public officers and from other parties no longer in the public service which have accrued since January, 1830, have instructed me to report back the same adversely, except so far as refers to a condensed statement which contains a good deal of valuable information and which the committee think may well be printed. I will not ask a vote upon the adverse report in the absence of the Senator from West Virginia, [Mr. DAVIS,] on whose motion the information was called for. I am quite confident that when he comes to examine this voluminous and expensive and utterly useless document, he will not desire that the Government shall go to the additional expense of \$2,262 to print it.

It contains a list of all persons, including those not now in the public service, against whom there appears to be a balance on the books of the Treasury. In very many instances the balance is nominal, not real, sometimes so designated; in very many cases it arises out of misunderstanding between the disbursing officer and the accounting officers of the Treasury, which, when they come to be explained and adjusted, may be decided in favor of one party or the other. In very many instances it arises from balances due from officers of the Navy who have gone down with their ships with their papers upon them; officers of the Army who have fallen in battle or died in hospital, and whose vouchers have been lost; while it is apparent from the supplies which they had purchased and from the men whom they had paid that the money intrusted to them had been expended for the purposes for which it was appropriated. According to the law these all appear upon the

books of the Treasury as indebted for the unsettled balances; for, while the Treasury charges an officer with everything paid to him, it does not credit him with what he has paid out until it is ascertained and adjusted according to regulations of the Department. Many of these are charges for overpayments; that is, where an officer has erroneously paid to some creditor of the Government more than he was legally authorized to receive; and of course the disbursing officer must suffer the consequence of his error. That is a blunder, but it is not a crime. He has not embezzled the money; he has not defrauded the Government; he has made a mistake and paid a man a thousand dollars, for example, when it appears from all the information yet in the possession of the Treasury that he only ought to have paid him \$990; and therefore he stands as a defaulter for \$10 on the books of the Treasury. This may in many cases remain yet open for adjustment. I am sure that nobody wants to publish the names of such men, living and dead, as embezzlers and defaulters in any criminal sense.

The great defalcations, the criminal defalcations, are all known; they are all made public; they cannot be concealed without criminal complicity of the accounting officers. They are put in suit against the defaulters and against their bondsmen; and other cases are put in suit the results of which do not always show that the officer is a defaulter. There may be cases of honest differences of opinion between the officer and the Department as to the law, which are to be settled by the courts. A great many cases grew up before the present improved system of keeping the accounts, when disbursing officers who were also receiving officers, received the revenues of the Government, disbursed the expenses of their Departments, and turned over the balance to the Treasury. That system prevailed until it was reformed in our day, and under that system the result of every difference of opinion between a disbursing

officer and the Department would stand as a defalcation against him. Some of these cases are so trifling that I have collated a few of them. Although I should not read the name of any person who would suffer by it, I suppose the illustrious name of Washington Irving will not suffer if I say that he stands here as a defaulter to the amount of *three cents*! Here is another officer in the list whom I was instrumental, among others, in commending to the public service, in which he greatly distinguished himself. I shall hold myself responsible for his defalcation, principal and interest in gold. It amounts to *one cent*. I do not suppose anybody will think that Robert Walsh was an embezzler or defaulter to the Government, and yet he is put down for a small amount. Here I find an old colonel whom I knew well, who died in 1854, who is marked as a defaulter for \$3.60.

Mr. President, I do not wish to impair the credit of the great banking house of this city, but I am bound to say that Corcoran & Riggs stand down here as defaulters under this call.

Mr. HAMLIN. What is the amount of that?

Mr. ANTHONY. Seventy-two dollars.

Mr. SHERMAN. I ask if the English bankers, Baring Brothers & Co., are there?

Mr. ANTHONY. Baring Brothers are down, and, worse than that, the English government itself is put down as a defaulter. As we have just settled nearly all our old difficulties with England and got into a new one, I do not wish to see the credit of that government impaired, and for its relief I must state that a marginal note reads: "The Secretary of State says he has no doubt this was settled long ago." It occurred in 1813, but it stands on the books as over \$1,200 of default by the British government.

Mr. President, I might go over a great many illustrations of the same kind, but I have made quite sufficient to show that, while there are of course in the great operations of the Treasury many defaulters and many embezzlers, nothing could be more unjust than to mix them up with these persons who are marked in default in the Treasury, but who are not defaulters in any sense whatever, and probably do not owe the Government anything. Certainly it is not likely that Corcoran & Riggs, Baring Brothers, and the British government owe the Treasury anything.

The aggregate statement of the disbursements of the Treasury under the list is a paper exceedingly creditable to the American Government. I do not mean to any particular party, but to the financial history of the United States. There have been disbursed since 1834—I can hardly read such big figures—\$13,936,870,072.05, of which is marked upon these books \$22,266,000, being about

half a million of dollars a year, and a great part of this is nominal, not real.

The losses on the \$1,000 of disbursements were, in the administration of Jackson, \$10.55; Van Buren, \$21.15; Harrison, \$10.37; Polk, \$8.34; Taylor and Fillmore, \$7.64; Pierce, \$5.86; Buchanan, nearly \$6.98; Lincoln, \$1.41; Johnson, 48 cents; Grant, the first four years, 40 cents; the second four years, 26 cents—showing a constant decline, which is owing in a large degree to the improved manner of keeping the accounts; and that is due very largely to the Committees on Finance and Appropriations, who have introduced legislation here which has compelled much greater accuracy and responsibility. The average percentage of losses during this whole period on the disbursements is \$1.59 on the thousand. I do not believe that the aggregate of any class of corporate or private business, banking, commercial, or any other kind, can show so small a percentage of loss as this, and it is gratifying that the percentage of loss is continually decreasing, coming down from \$21.55 in the administration of Van Buren to an average of twenty-three cents on the thousand dollars, or only about one-sixtieth as much under the present Administration. This is exclusive of the Post Office, which administers its own revenue. In the Post Office the loss has gone down from \$11.18 on the \$1,000 in Jackson's administration, and \$26.19 in Van Buren's, to \$1.59 for the first term of Grant, and \$1.01 for the second; with an average of \$3.51 for the whole period. I move that this statement, which I think is creditable to the Government and to all parties, be printed; and that the adverse report of the Committee on Printing on the rest of the document lie over until the return of the Senator from West Virginia.

Mr. WITHERS. In justice to the Senator from West Virginia, under whose resolution the report was made which the Committee on Printing have reported against the printing of, I think it proper to state that he certainly never intended his resolution to parade before the country the names of such parties as have been read by the Senator from Rhode Island, his idea and object being to elicit information with regard to the number of *bona fide* defaulters to the Government; and the *reductio ad absurdum* which has been reached this morning through the remarks of the Senator from Rhode Island I do not think is fairly applicable to the resolution which was presented by the Senator from West Virginia or to the information which was elicited thereby, his object being, as I say, to secure information as to the number and amount of *bona fide* defalcations which had occurred in the Government, and those and those only he desired to have printed. I say this in justice to him

Mr. SHERMAN. All I desire to say is that the resolution of the Senator from West Virginia as originally offered would have called only for those defalcations that occurred under a republican administration, or was limited in point of time from 1865 to this period, and would have included the names of hundreds and thousands of soldiers who died on the field of battle with the very arms used in defense of their country charged to them, and which charges are yet on these books. So with officers of the Navy. The injustice of the resolution of my friend from West Virginia was that it confined itself to a particular period, during which a particular party was in power; and, therefore, it was extended back so as to embrace many administrations of many parties, different phases of our political life from 1834 to this time.

Now, when it comes before us I do not think that the Senator from West Virginia, or any Senator who looks over this list, would do the injustice to publish this list either from 1865 down or from 1834 down; but I did not object to this paper being prepared, because, if there is any defaulter, any man who really has appropriated with bad intent money of the Government of the United States which he has not paid over, he should be exposed. Here is a formidable list, and from that list those cases may be expurgated and published if necessary. As I said the other day, I should be willing to publish on the barn-doors all over this broad land the name of every man who has robbed the Government or betrayed the trust reposed in him by the Government of the United States; but it is manifest that in doing that we ought not to do injustice to the most virtuous, the most patriotic, and the best men in our land.

Mr. WITHERS. That is all that the Senator desired to accomplish, I have no doubt. I think he does not do it by printing such cases as are described.

Mr. SHERMAN. The difficulties will then be in making the expurgation.

Mr. MORRILL, of Vermont. When this subject was up in the first instance, on the motion of the Senator from West Virginia, I thought it a matter of sufficient importance to go to the Treasury Department and ascertain precisely what had been the amount of the defalcations there and at the Internal-Revenue Bureau, and I obtained similar results to those which have been read by the Senator from Rhode Island, but based on different dates and presented in a little different manner, but still in a manner of sufficient interest, I think, to warrant me in reading the two communications that I received at that time. First, I read from the Assistant Secretary of the Treasury:

TREASURY DEPARTMENT,
Washington, March 22, 1876.

DEAR SIR: Referring to your verbal request, made on Saturday last, to be furnished with a statement showing the defalcations of customs officers, I have the honor to inform you that the total amount of collections of revenue from customs from April 1, 1861, to June 30, 1875, amounted to \$2,136,395,642.42. Total defalcations from March 4, 1861, to June 30, 1875, \$355,534.27. The defalcation is 1-60 of 1 per cent. of the amount collected, or \$1.60 in every \$10,000.

I promised to send these figures to you on Saturday last, but found it impossible until the present moment to get them ready.

Very truly,

CHAS. F. CONANT.

HON. JUSTIN S. MORRILL,
United States Senator, Washington, D. C.

I also have a communication from the Commissioner of Internal Revenue, which is as follows:

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
Washington, D. C., March 18, 1876.

SIR: In compliance with your request, I have the honor to submit herewith the following statement taken from the books and records of this office:

The total of internal-revenue tax returned by the various collectors of internal revenue during the period from September 1, 1862, to March 31, 1865, being from the organization of the internal system to the close of the month preceding the end of Mr. Lincoln's administration is \$283,111,131; the ascertained "cash deficiencies" of collectors appointed during that period are \$414,508.10, or about 13-100 of 1 per cent. of the amount collected. In the period from April 1, 1865, to February 28, 1869, being the period in even months covered by Mr. Johnson's administration, the collections were \$817,068,305; ascertained cash deficiencies of collectors appointed in that period, \$1,626,302.52, or about 2-10 of 1 per cent. of the amount collected. In the period from March 1, 1869, to February 28, 1876, being from the beginning of the present administration to the close of the last month, the collections are \$854,808,237; ascertained cash deficiencies of collectors appointed in this period, \$592,751.86, or about 69-1000 of 1 per cent. of the amount collected.

As the balances for the last period mentioned are of comparatively recent occurrence and are now in process of collection, it is believed that a large proportion of it will ultimately be recovered, so that the actual ultimate loss will be very much less than herein shown.

Respectfully,

D. D. PRATT,
Commissioner.

HON. J. S. MORRILL,
United States Senate.

I think under the circumstances the present and past republican administrations since 1861 have no reason to feel ashamed of the exhibit.

Mr. ANTHONY. Mr. President, I desire, in justice to the Secretary of the Treasury, who made this report, and in reply to the remarks of my friend from Virginia who seemed to think that the report had embodied information not called for by the Senate, to read the resolution, which is:

That the Secretary of the Treasury be, and hereby is, directed to furnish the Senate, as soon as practicable, a statement of all balances due to the United States from public officers, and all such balances due from other parties, (no longer in the public service,) distinguishing those whose accounts with the United States have been finally passed upon and adjudicated and those whose accounts are yet unsettled and subject to additional credits, stating the nature of such accounts

and the credits in question; the statement to embrace the accounts of all such officers, or parties in which such balances have acerued since the 1st day of January, 1830, and to set forth respectively, and as near as practicable, the period over which the accounts extended and the amounts involved therein.

I do not see how, under that resolution, the Secretary of the Treasury could have done less than to send the communication which is before us; and, if it is information

that is not needed, it is our fault in calling for it, not his in sending it.

The PRESIDENT *pro tempore*. The chairman of the Committee on Printing asks that the report which he has submitted lie on the table and that the summary statement which he submits be printed. Is there objection to that? The Chair hears none, and the Senate so orders.

THE MASSACRE AT HAMBURGH, S. C.

REMARKS OF HON. ROBERT SMALLS, M. C., FROM SOUTH CAROLINA, IN THE HOUSE OF REPRESENTATIVES, JULY 15, 1876.

The House, having resolved itself into Committee of the Whole on the state of the Union, and resumed the consideration of the joint resolution (H. R. No. 96) to provide for the protection of the Texas frontier on the Lower Rio Grand—

Mr. SMALLS. I offer the amendment which I send to the desk.

The Clerk read as follows:

Add to the first section the following:

Provided, That no troops for the purposes named in this section shall be drawn from the State of South Carolina so long as the militia of that State peaceably assembled are assaulted, disarmed, and taken prisoners, and then massacred in cold blood by lawless bands of men invading that State from the State of Georgia.

Mr. SMALLS. I hope the House will adopt that proviso as an amendment to the bill. As I have only five minutes I send to the desk a letter published in one of the newspapers here from an eye-witness of the massacre at Hamburg, and I ask the Clerk to read it.

The Clerk read as follows:

The origin of the difficulty, as I learn from the best and most reliable authority, is as follows: On the Fourth of July the colored people of the town were engaged in celebrating the day, and part of the celebration consisted in the parade of the colored militia company. After marching through the principal streets of the town, the company came to a halt across one of the roads leading out of the town. While resting there two white men drove up in a buggy, and with curses ordered the company to break ranks and let them pass through. The captain of the company replied that there was plenty of room on either side of the company, and they could pass that way. The white men continued cursing and refused to turn out. So the captain of the militia, to avoid difficulty, ordered his men to break ranks and permit the buggy to pass through.

Mr. SCHLEICHER. I rise to a point of order. I wish to know if this proposition is germane to the bill.

Several MEMBERS. Too late.

The CHAIRMAN. The Chair desires to say that it strikes him as being as germane as other propositions which have been generally entertained to make it allowable.

The Clerk continued the reading of the letter, as follows:

The order was obeyed, and the white men went on their way uttering threats. The next day a colored trial justice issued processes against the officers of the company, based on the complaint of the two white men, citing the officers to appear and answer to a charge of obstructing the public highway. They obeyed the writs, and after a slight examination the justice adjourned the trial until Saturday, the 8th instant. On that day, at an early hour, the town commenced to fill up with white men armed to the teeth with repeating rifles and revolvers. The colored people had no idea of the bloody tragedy which was soon to take place, and consequently made no preparations to resist an attack, and were almost defenseless.

Late in the afternoon General M. C. Butler, one of the most malignant of the un-reconstructed rebels, rode into the town accompanied by a score of well-armed white men, and stated to the leading colored men that he came for the purpose of prosecuting the case on the part of the two white men, and he demanded that the militia company should give up their arms and also surrender their officers. This demand the militia was ready to comply with for the purpose of avoiding a difficulty if General Butler would guarantee them entire safety from molestation by the crowd of white desperadoes. This Butler refused to do, and persisted in his demand for the surrender of the guns and the officers, and threatened that if the surrender was not immediately made he would take the guns and officers by force of arms. This threat aroused the militia company to a realizing sense of their impending danger, and they at once repaired to a large brick building some two hundred yards from the river, used by them as an armory, and there took refuge. They numbered in all about forty men, and had a very small quantity of ammunition. During this time, while the militia were taking refuge in their armory, the white desperadoes were coming into the town in large numbers, not only from the adjacent county of Edgefield, but also from the city of Augusta, Georgia, until they numbered over fifteen hundred well-armed and ruffianly men who were under the immediate command and direction of the ex-rebel chief M. C. Butler. After the entire force had arrived, the building where the militia had taken refuge was entirely surrounded and a brisk fire opened upon it. This fire was kept up for some two hours, when finding that the militia could not be dislodged by small arms, a messenger was sent to Augusta for artillery. During all this time not a shot had been fired by the militiamen. The artillery arrived and was posted on the bank of the river and opened fire on the building with grape and canister.

Mr. SCHLEICHER. I rise to a question of order. If this be read as a part of the gentleman's remarks, is he not subject to the five minutes rule?

The CHAIRMAN. The gentleman from South Carolina was recognized at thirty-two minutes past three o'clock. There is still half a minute remaining.

Mr. TOWNSEND, of New York. I hope the paper will be read through.

The Clerk resumed the reading of the paper, as follows:

The militia now realized that it was necessary to evacuate the armory at once. They proceeded to do so, getting out of a back window into a corn field. They were soon discovered by the ruffians, and a rush was made for them. Fortunately, by hiding and hard fighting, a portion of the command escaped, but twenty-one were captured by the bushwhackers and taken immediately to a place near the railroad station.

[Here the hammer fell.]

Mr. RAINEY. I rise to oppose the amendment, and I yield my time to my colleague [Mr. SMALLS] in order that the reading of the letter may be continued.

A MEMBER. The two gentlemen are on one side.

The CHAIRMAN. The present incumbent of the chair confesses to some doubt whether the multiplication and piling up of *pro forma* amendments for the purpose of mutual accommodation is strictly in accordance with the spirit of the rule. The Chair felt that in the debate that terminated a little while ago. But inasmuch as these things have generally been practiced—a multiplication of *pro forma* amendments or a gentleman getting the floor in order to yield time to another—the Chair allows this.

Mr. COX. I hope the paper will be read through.

Mr. HARTRIDGE. I ask that it may be read by unanimous consent.

Mr. HANCOCK. I hope there will be no objection to its being read through.

The CHAIRMAN. The paper is being read in the time of the gentleman from South Carolina, [Mr. RAINEY.]

The Clerk continued the reading, as follows:

Here a quasi-drumhead court-martial was organized by the blood-hunters, and the last scene of the horrible drama began. It must now be remembered that not one of the twenty-one colored men had a pistol or gun about them. The moment they were captured their arms were taken from them, and they were absolutely defenseless. The orderly sergeant of the militia company was ordered to call the roll, and the first name called out to be shot in cold blood was Allan T. Attaway, the first lieutenant of the company, and holding the position of county commissioner of Aiken County, in which county Hamburg is situated. He pleaded for his life as only one in his position could plead, but his pleadings were met with curses and blows, and he was taken from the sight of his comrades and a file of twelve men fired upon him. He was penetrated by four balls, one entering his brain, and the other three the lower portion of his body. He was instantly killed and after he was dead the brutes in human shape

struck him over the head with their guns and stabbed him in the face with their bayonets. Three other men were treated in the same brutal manner. The fifth man when taken out made a dash for his life and luckily escaped with only a slight wound in his leg.

In another portion of the town the chief of police, a colored man named James Cook, was taken from his house and while begging for his life brutally murdered. Not satisfied with this, the inhuman fiends beat him over the head with their muskets and cut out his tongue.

Another colored man, one of the marshals of the town, surrendered and was immediately shot through the body and mortally wounded. He has since died. So far as I have been able to learn only one white man was killed. It will thus be seen that six colored men were brutally murdered and one wounded, while on the side of the whites only one man was killed. After this holocaust of blood was over the desperadoes in large bodies entered the houses of most of the prominent colored men of the town and completely gutted them. They stole all they possibly could, and what they could not steal they destroyed. Furniture was smashed, books torn to pieces, pictures cut from their frames, and everything that could be destroyed was given up to the demon of destruction. Such scenes my eyes have never before witnessed and the distress and suffering among the poor colored people was heart-rending to behold. The town is desolate and the inhabitants have taken refuge in Aiken, Columbia, and other points. The civil authorities are powerless or too negligent to do anything, and peace and order cannot be preserved unless United States troops are sent to this point at once.

The scenes during the massacre were fearful to behold—the moon shining down upon the horrid scene lighting up the whole with a ghastly light; the popping of small arms; the screams of frightened women and terrified children; the loud reports from the artillery, all tended to make a scene terrible and more than fearful to behold. And now what was the provocation given for this hellish slaughter? The answer is, nothing. Legally the militia had the right of way over the public road. The day was the nation's holiday. The militia had a perfect right to parade, and vehicles of all kinds were required to keep out of their way, and not interfere with their marching. Again, General Butler had not the shadow of a right to demand the arms of the militia. They were organized under the constitution and laws of the State, and were part and parcel of the armed force of the Commonwealth. No private citizen had the slightest right to molest them. Such molestation was a direct blow at the power and authority of the State. It was a revolutionary step, and should be thus punished.

[Here the hammer fell.]

Mr. COCHRANE. I ask unanimous consent that the reading of the letter be finished.

Mr. COOK. I hope there will be no objection.

The CHAIRMAN. Unanimous consent cannot be granted in Committee of the Whole.

Mr. CONGER. I move to strike out the last word of the amendment of the gentleman from South Carolina, [Mr. SMALLS,] and, as part of my remarks, I ask that the reading may be continued.

The CHAIRMAN. The chair, perhaps, was not thoroughly understood when he spoke before. He desires simply to say that although he has some doubt about the propriety of these *pro forma* arrangements, still he cheerfully consents to their being continued, because such has been the practice in the Committee of the Whole House.

The Clerk resumed, and concluded the reading of the letter, as follows:

Are the southern colored citizens to be protected or are they to be left at the mercy of such ruffians as massacred the poor men of Hamburg? The murdered Attaway was a man of considerable prominence in the republican party of the county. He was a law-abiding citizen, held a responsible office, and was well thought of by many people. The other murdered men were good citizens and have never been known to infringe the law. The whole affair was a well and secretly planned scheme to destroy all of the leading republicans of the county of Aiken living in Hamburg. Mr. C. Butler, who lost a leg while fighting in the ranks of the rebels, and who is to-day the bitterest of Ku-Klux democrats, was the instigator of the whole affair and the blood-thirsty leader of the massacre. He boasted in Hamburg during the fight that that was only the beginning; that the end would not be until after the elections in November. Such a man should be dealt with without pity or without hesitation. The United States Government is not powerless, and surely she will not be silent in an emergency like this, the parallel of which pen cannot describe. In this centennial year will she stand idly by and see her soil stained with the blood of defenceless citizens, and witness the bitter tears of women and children falling upon the murdered bodies of their loved ones? God forbid that such an attitude will be assumed toward the colored people of the South by the "best Government the world ever saw." Something must be done, and that quickly, or South Carolina will shed tears of blood and her limbs be shackled by democratic chains.

What I have written in this letter are facts which I vouch for entirely, and are not distorted in any degree. It's a "plain, unvarnished" narration of painful and horrible truths.

Mr. HILL. Read the name attached to the letter.

The CHAIRMAN. The Chair understands there is no name given.

Mr. HILL. Who is the author of the letter?

Mr. CONGER. I hope that all this will not be taken out of my time.

The CHAIRMAN. The gentleman from Michigan [Mr. CONGER] has five full minutes of sixty seconds each.

Mr. CONGER. Then I yield five minutes to the gentleman from South Carolina, [Mr. SMALLS.]

Mr. SMALLS. This is a letter written by a gentleman who was an eye-witness of this transaction to me, and I, sir, had that letter published in the paper. I am responsible for the name.

Mr. COCHRANE. Whose name is it? Who wrote that letter?

Mr. SMALLS. I will say to the gentleman if he is desirous that the name shall be given in order to have another negro killed, he will not get it from me. [Applause.]

The CHAIRMAN. Does the gentleman from South Carolina wish to occupy the rest of the five minutes?

Mr. SMALLS. I do not.

Mr. CONGER. Then I resume the floor.

The CHAIRMAN. The gentleman from Michigan has three and a half minutes of his time remaining.

Mr. CONGER. When an amendment was before the committee to increase the regi-

ments without any reference to the action of the House in reducing the Army, I made a suggestion to the House that that proposition would draw from other cavalry regiments a large portion of their quotas and leave them with a very diminished number of men. The amendment that is offered here is a very simple and a very proper one and in accordance with the amendment which was last under consideration. It is that, in portions of the United States where the lives and property of the citizens are alleged to be invaded, where it is alleged that property is taken and life taken by riotous men, in regions of country where troops are as necessary to protect them as they are necessary to protect our citizens on the borders of Texas, notwithstanding this resolution which we propose to pass, troops shall not be taken from those regions where their presence is equally necessary for the protection of the life of the citizen and the protection of his property.

I venture to say there is no man on this floor that dare rise in the presence of the American people to oppose this amendment, and I challenge any man to it; not alone on account of the statements in that communication, of the truth or falsity of which I do not now speak, but from the common knowledge which everyone has of the events in the State of South Carolina. From facts universally acknowledged I venture to say that the same spirit which will induce every member of this committee and every member of this Congress to raise his voice and his hand in defense and protection of the citizens of the country would palsy the hand that would be raised to oppose the extension of that protection to one portion of the United States where the same necessity for protection exists.

Sir, I believe that the cutting down of the Army was the result of a determination on the part of some men somewhere to prevent troops being sent into States where lawless men take the lives of peaceable citizens. I just charge that as the attempt inaugurated in this House and carried out I regret to say with the assent of men who never ought to have given it their assent.

Mr. MILLIKEN. I would ask the gentleman if he has any member in his eye or in his mind whom he pictures as that man.

Mr. CONGER. I charge that the natural and inevitable result of that reduction must be to leave the Army so small that with the Indian war upon our hands and the necessity of protecting the Texas border there would be no forces to be sent into other portions of our country where the presence of an Army is eminently desirable and necessary.

[Here the hammer fell.]

THE DEAD LOCK.

Hon. JAMES WILSON, in the House of Representatives

WEDNESDAY, JUNE 28, 1876.

Macaulay says that a week of civil war in England would be felt from the Hoang-Ho to the Missouri a hundred years hence. We know something of the effects of civil war. But he must have the gift of prophecy who can foretell the effects of stopping our Government by a refusal to pass the appropriation bills, of stopping the courts, the mails, the foreign service, the Army, the Navy, the Indian Bureau, the Pension Bureau, Bureaus of Education and Agriculture; in short, stop the whole American Government because one committee of the House, after having absorbed the functions of nearly all the standing committees of the House, insist upon pushing the prerogatives of the House beyond any precedent heretofore set, and against the very letter of the Constitution itself, that gives the Senate the same power to amend a revenue bill—conceding an appropriation bill to be a revenue bill—that the House has to originate it. If the Senate refuse to cut down where it should be done they are responsible and can be reached, but such a revolution as a failure to pass the appropriation bills would bring about is not justified by the Senate refusing to change existing law on a money bill. * * *

Consider the present situation. We have civil and military establishments, the salary of each officer and employé established by law. The House, whether by exclusive right or not, originates bills appropriating money to support these establishments.

It has been customary to allow nothing to be tacked to these bills not in accord with existing law, if either House objects. When the law is to be changed a standing committee of the House, under the rules, has jurisdiction, and part of the legislative machinery of the House is arranged by which laws can be changed when a majority of the House desire. There are thirty-four standing committees, upon which are appointed all the members of the House, having charge of all the subjects upon which Congress can legislate.

One of these committees is that on appropriations, consisting of eleven members, the same as the other committees. It has formerly been charged with the duty of preparing and reporting bills to appropriate money in conformity with existing law. When legislation has been tacked on these bills, it has been by suspending the rule and making it in order by a two-thirds vote. Such new legislation has been limited heretofore to occasional clauses. But this session a new policy has been inaugurated, enabling a majority by changing the rule to do what could only be done heretofore by a vote of two-thirds of the House. This departure from time-honored

custom has given to the eleven members composing the Appropriations Committee the power heretofore exercised by the standing committees, and is a concentration of power unheard of in our times. Close observation of the workings of this new order of things has shown that when the opinion of the Appropriations Committee clashed with that of any other standing committee, the standing committee could not be sustained.

It is a well-known fact that unless the party in power for the time being in the House stands well by the Appropriations Committee they cannot succeed in carrying through the eleven bills for the support of the Government. Our eleven members on the Appropriations Committee first got the power through a change in the rule. Then the majority was compelled to sustain them as against any standing committee. The Committee on Appropriations adopted a theory of reduction of 10 per cent. in pay, 20 per cent. in force. In some Bureaus of the Government this might be applied without detriment; in others only at the expense of efficiency. The Committee on Military Affairs, on the Post-Office and Post-Roads, on Agriculture, on Indian Affairs, and others, might and often did protest against the iron resolution of the Committee on Appropriations. But power is sweet even to a committee, and necessity compelled the House to sustain them. One by one the standing committees were beaten. The judgment of one committee of eleven men was indorsed on one day against the judgment of eleven men on one standing committee, on another day against eleven men on another standing committee, until the whole field was gone over; and now we have the law changed relating to all branches of the Government on the recommendation of eleven members of the House, whom the House was compelled to sustain if we passed appropriation bills at all. I do not say that the Appropriations Committee has not been industrious. I am sure they have been. I do not say they are incompetent. I think if they had confined themselves to reporting bills to carry out existing law, as former Appropriations Committees have, they would have been fairly successful. But they have applied an unbending rule to everything. They cannot know what all the consequences will be. The House surely does not know whether they have done well or crippled the Executive Departments of the Government. The Senate, being vested by the Constitution with the same powers to amend appropriation bills that we are vested with, and consequently under the same responsibility the House is

under, and hesitating to stop or block the wheels of Government, determined to be governed by law, and change the law relative to appropriation bills only when their judgment tells them it is wise to do so.

For this law-abiding spirit the gentleman from New York compares the Senate to the English Crown and their stand for law and order to the encroachments of the royal prerogative on the English Commons. The House says it is economy because the Appropriations Committee thinks it is. The Senate does not know it is economy and proposes to stand by the law until a reason is given for changing it. It cannot be said that the Senate refuses to agree to the reduction of expenditures because they concurred last Congress in a reduction of twenty-six millions on these same bills when the House gave them abundant time to ascertain what they were doing. There is no doubt of their willingness now to help effect salutary retrenchment, but it is not clear to many of us that we have not gone entirely too far in nearly every direction, while it is clear to many of us that we have cut too deep in many directions.

It would not become a member of the House to advocate the yielding of any privilege or prerogative that belongs to it, either by custom or through the Constitution. But the issue raised by the gentleman from New York, respecting the right of the House to the exclusive control of appropriation bills and the denial of the right of the Senate to either originate or amend, can result in no good to the country. The two bodies are co-ordinate and have equal powers in making all laws, except that the House has the sole power to originate a revenue bill. After it is originated, the powers of the House and Senate are equal in every respect. Nor is it possible to conceive how any evil can result from the power of the Senate to amend or reject any bill. The Senate is not, like the House of Lords, a hereditary body, but is elective and representative in its character. There is but little analogy between our Senate and the English House of Lords. The reference of the gentleman from New York to the struggle between King and Parliament, before it can be brought into comparison with our courted dead lock, must be transposed. In the English case the Parliament struggled for existence. If the King could levy taxes he had no need of Parliament. In our case we are the aggressors; we are reaching for more power than the Constitution gives us; and, while there was no doubt the people sided with the Commons, we have no evidence whatever that the people desire the Senate to yield to us its constitutional privileges. The judgment of both is needed, and I do not think it would be best that the whole responsibility of passing appropriation bills should rest on the House. It is a prominent feature

in our form of government that absolute power and sole responsibility rest nowhere but with the people, whose majority vote can bring about anything they desire, the same as a majority of this House can find a way to do anything or prevent anything from being done.

The assertion that we are the most heavily taxed people in the world has led me to inquire into the sources of taxation, and for illustration I have inquired into the amount of taxes laid on one of my constituents and who lays them. I find the average Iowan pays for municipal and local purposes, laid by himself, seven dollars and a half. The State of Iowa lays one half dollar on him; the late war, to pay interest on the war debt, pensions, war claims, &c., lays \$3 on him; and the United States, to support the foreign service, the Army and Navy, pay interest on lands got by treaty from the Indians, to provide for the deficiency in the mail service, meet the executive, legislative, judicial and other expenses of the Government, lays little over \$2 on him. Now you see who is taxing the people. More than one-half of all taxes are local, nearly one-fourth the interest on the cost of the late war, and a little over one-sixth suffices for all the purposes of the General Government, derived from whisky, tobacco, and foreign imports. No people on the face of the earth are as lightly-taxed by their government; our Army but a skeleton, our Navy a shadow, compared with the great armies and fleets of old countries. We are the best-fed, best-clothed, best-housed, most generally educated, freest, and should be the happiest people on earth. This misrepresentation of the condition of our people on the floor of Congress is unwise and sinful, and, to a stranger who might be listening, incomprehensible.

If there is depression in some of our industries, so there is all over the world. We have been living on too high a plane; we must economize a little till times get better. Our system has enabled the workman to live like the higher classes of some countries. If over-speculation and overproduction of the products of our factories has overflowed the home market we must seek one abroad and curtail family expenses till the home market revives or the foreign one is found. If you take off the \$2 *per capita* that internal and customs duties bring us and run the Government for nothing, it would not create a home market for iron and cotton goods.

Our people are not ground down by taxation. We expend very freely to educate and improve, and moderately for civil service. If the House would turn its attention to the industries of the people more than to the success of party it would find a more noble field for inquiry.

